

REMARKS

The Office action of September 16, 2003 has been received and its contents carefully noted.

In amended Figure 1, the label of "Conventional Art" has been added.

Claims 1-38 are pending in the application.

Claims 1-7, 10, 16, and 36-38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Murakami et al. ("Murakami") (U.S. Patent No. 5,057,940) in view of Wakabayashi (Japanese Patent Publication No. 02128584). Claims 8-9, 11-13, and 17 stand rejected under § 103(a) as being unpatentable over Murakami in view of Wakabayashi, and further in view of Hibino et al. ("Hibino") (Japanese Patent Publication No. 06165173A). Claims 14-15 stand rejected under § 103(a) as being unpatentable over Murakami in view of Wakabayashi, and further in view of Agraharam et al. ("Agraharam") (U.S. Patent No. 6,414,707). Claims 18-24, 27, and 34 stand rejected under § 103(a) as being unpatentable over Murakami. Claims 25-26, 28-31, and 35 stand rejected under § 103(a) as being unpatentable over Murakami in view of Hibino. Claims 32-33 stand rejected under § 103(a) as being unpatentable over Murakami in view of Agraharam. Applicants respectfully traverse these rejections, and request allowance thereof in the continuation prosecution application for the following reasons.

The Claims are Patentable Over the Cited References

Claims 1-7, 10, 16, and 36-38 are not made obvious by Murakami and Wakabayashi

Claims 1-7, 10, 16, and 36-38 stand rejected under § 103(a) in view of Murakami and Wakabayashi. Applicants strongly contend that Murakami and Wakabayashi, either alone or in combination, fail to disclose the features recited in these claims as amended such as a transmission stream composite means for combining a part or all of objects encoded by a medium encoding means, with an object which is different from object of the video signal supplied from the outside and object-encoded in advance, or a receiving device for receiving complete video data which is object-encoded. As admitted in the Action, Murakami does not teach nor suggest the recited feature of combining a part or all of encoded objects with an object that is object-encoded in advance.

Further, in contrast to the recited feature of encoding an object which is different from the object of the video signal supplied from the outside, Murakami solely describes an image signal encoding/decoding system where face image information and background image information are already part (originally synchronized) of an input image signal and then extracted for encoding and possible combination/transmission. (see FIG. 3, Abstract; col. 3, lines 30-36). Therefore, Murakami solely (and potentially) encodes objects that are already part of the video

signal supplied from the outside in contrast to the recited invention.

Also, in contrast to the recited feature of receiving complete video data that is object-encoded, Murakami supplies fake background information (to minimize the volume of transmitted information where the fake background being already stored at the receiving section) that is not object-encoded at the receiving section to combine with the transmitted face image information. (see FIG. 4; col. 5, lines 3-11; col. 6, lines 7-10, 37-41). Specifically, Murakami states that "...selector 125 selects...an appointment number indicating background image information which has been stored in the background picture memory 123b...image combining section 131 receives the face (object) image information S11b and background picture information S20b read out from the background memory 123b...according the present invention, since the input image is separated into the object image and the background image, and the background image is transmitted only when required, whereby the volume of transmission information may be reduced." (see FIG. 4; col. 5, lines 3-7; col. 6, lines 7-10, 37-41).

Therefore, Murakami does not receive complete, object-encoded video data as recited since a part (the fake background information) of the video data is already stored at the receiving side and is not object-encoded.

Additionally, regarding claims 36-38, Murakami makes

completely no mention of an audio signal. Throughout the disclosure, Murakami only discloses encoding/decoding of an image signal in contrast to the recited features of these claims.

Further, Wakabayashi does not teach nor suggest the recited features of object-encoding a video signal supplied from outside and combining a part or all of encoded objects with an object that is object-encoded in advance. In contrast, Wakabayashi solely discloses storing and encoding in advance previously prepared background picture data (to replace the current background picture data). Wakabayashi discloses that during operation a speaker image with background image data is encoded and stored, then the speaker image data and the background image data are separated and the speaker image is displayed, and then a program is executed to transfer the previously prepared background picture to replace the separated background picture data. (see Abstract and Description).

Therefore, instead of the recited features of object-encoding a video signal from outside, and then combining the object-encoded video signal with an object which is object-encoded in advance, Wakabayashi object-encodes the video signal (speaker image data and background image data), then separates out each object-encoded part individually, transmits one part (speaker image data) to a display, and then transfers the previously encoded object (replacement background image data) to replace the separated part (separated background data). Thus, Wakabayashi teaches a completely different

encoding/transmitting device from the recited invention. The recited invention combines separately encoded objects (the object encoded in advance and encoded objects of the video signal) while in complete contrast Wakabayashi encodes all objects together (the speaker image data and the current background image data), and then separates the encoded objects by separating the speaker image data from the current background image data.

Therefore, the combination of Murakami and Wakabayashi still does not provide the recited features of a transmission stream composite means for combining a part or all of objects encoded by a medium encoding means, with an object which is different from object of the video signal supplied from the outside and object-encoded in advance, or a receiving device for receiving complete video data which is object-encoded as both Murakami and Wakabayashi completely omit these claimed features.

Therefore, both Murakami and Wakabayashi, either alone or in combination, do not disclose the recited feature making the claimed invention patentably distinct and non-obvious from the cited reference.

Claims 8-9, 11-13, and 17 are not made obvious by Murakami, Wakabayashi, and Hibino

Claims 8-9, 11-13, and 17 stand rejected under § 103(a) in view of Murakami, Wakabayashi, and Hibino. Applicants strongly

contend that Murakami, Wakabayashi, and Hibino, either alone or in combination, fail to disclose the features recited in these claims as amended such as a transmission stream composite means for combining a part or all of objects encoded by a medium encoding means, with an object which is different from object of the video signal supplied from the outside and object-encoded in advance.

As previously noted, both Murakami and Wakabayashi fail to disclose this recited feature. Further, Hibino does not disclose this recited feature as Hibino solely discloses synthesizing the images and sounds of users within a network to produce a virtual society. Also, Hibino requires service center equipment 4 (see description) which strongly contrasts from the recited invention of a video encoding/transmitting device.

Therefore, Murakami, Wakabayashi, and Hibino, either alone or in combination, do not disclose the recited feature making the claimed invention patentably distinct and non-obvious from the cited reference.

Claims 14-15 are not made obvious by Murakami, Wakabayashi, and Agraharam

Claims 14-15 stand rejected under § 103(a) in view of Murakami, Wakabayashi, and Agraharam. Applicants strongly contend that Murakami, Wakabayashi, and Agraharam, either alone or in combination, fail to disclose the features recited in these claims

as amended such as a transmission stream composite means for combining a part or all of objects encoded by a medium encoding means, with an object which is different from object of the video signal supplied from the outside and object-encoded in advance.

As previously noted, both Murakami and Wakabayashi fail to disclose this recited feature. Further, Agraharam does not disclose this recited feature as Agraharam solely discloses a system for conducting a video conference allowing users to designate alternative environments. Also, Agraharam requires a video conference apparatus 150 (see FIG. 1) which strongly contrasts from the recited invention of a video encoding/transmitting device.

Therefore, Murakami, Wakabayashi, and Agraharam, either alone or in combination, do not disclose the recited feature making the claimed invention patentably distinct and non-obvious from the cited reference.

Claims 18-24, 27, and 34 are not made obvious by Murakami

Claims 18-24, 27, and 34 stand rejected under § 103(a) in view of Murakami. Applicants strongly contend that Murakami fails to disclose the features recited in these claims as amended such as a receiving device for receiving complete video data which is object-encoded. As previously contended above, Murakami does not receive complete, object-encoded video data as recited since a part (the

fake background information) of the video data is already stored at the receiving side and is not object-encoded. Therefore, Murakami clearly does not teach nor suggest the recited feature making the claimed invention patentably distinct and non-obvious from the cited reference.

Claims 25-26, 28-31, and 35 are not made obvious by Murakami and Hibino

Claims 25-26, 28-31, and 35 stand rejected under § 103(a) in view of Murakami and Hibino. Applicants strongly contend that Murakami and Hibino, either alone or in combination, fail to disclose the features recited in these claims as amended such as a receiving device for receiving complete video data which is object-encoded.

As previously noted, Murakami fails to disclose this recited feature. Also, Hibino fails to disclose this recited feature and further requires service center equipment 4 (see description) which strongly contrasts from the recited invention of a video receiving/decoding device.

Therefore, Murakami and Hibino, either alone or in combination, do not disclose the recited feature making the claimed invention patentably distinct and non-obvious from the cited reference.

Claims 32-33 are not made obvious by Murakami and Agraharam

Claims 32-33 stand rejected under § 103(a) in view of Murakami and Agraharam. Applicants strongly contend that Murakami and Agraharam, either alone or in combination, fail to disclose the features recited in these claims as amended such as a receiving device for receiving complete video data which is object-encoded.

As previously noted, Murakami fails to disclose this recited feature. Also, Agraharam fails to disclose this recited feature and further requires a video conference apparatus 150 (see FIG. 1) which strongly contrasts from the recited invention of a video receiving/decoding device.

Therefore, Murakami and Agraharam, either alone or in combination, do not disclose the recited feature making the claimed invention patentably distinct and non-obvious from the cited reference.

Conclusion

In view of the amendments and remarks submitted above, it is respectfully submitted that all of the remaining claims are allowable and a Notice of Allowance is earnestly solicited.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayments to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of

Application No. 09/890,435

time fees.

The Examiner is invited to contact the undersigned at (703) 205-8000 to discuss the application.

Respectfully submitted,

BIRCH, STEWART, KOLASCH, & BIRCH, LLP

by Clint Berdine 4/10/35
Michael K. Mutter, #29,680

MKM/CAG:tm
1163-0350P

P.O. Box 747
Falls Church, VA 22040-0747
Phone: (703) 205-8000